

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA,

DOCKET NO. 3:01CR2

V.


ORDER

ALLEN DWAYNE BERRY

This MATTER is before the Court on Defendant's Pending Motion, (Doc. No, 227) Motion to Delay Payment of Restitution. Defendant Berry agreed to pay restitution in paragraph 5 of his Plea Agreement (Document 87). The Judgment (Document 110) ordered the defendant to pay restitution to the victim immediately after its entry. That document reads, in pertinent part that "Unless the court has expressly ordered otherwise in the special instructions..., if this judgment imposes a period of imprisonment payment of criminal monetary penalties shall be due during the period of incarceration."

IT IS ORDERED, that Defendant's Motion (Doc. No. 227) is **DENIED**.

Signed: October 21, 2021


Frank D. Whitney
United States District Judge

